

**RULES
OF THE
TENNESSEE DEPARTMENT OF PERSONNEL**

**CHAPTER 1120-6
ATTENDANCE AND LEAVE**

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1120-6-.01 PURPOSE. To provide uniform rules concerning attendance and leave management in the State service. The Commissioner may establish or change policy as necessary.

Authority: T.C.A. §8-30-215. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988.

1120-6-.02 RESPONSIBILITY. It is the responsibility of the employee's immediate supervisor, or a designated timekeeper to determine the type of leave to be charged for each absence, and to properly record and report it.

Authority: T.C.A. §8-30-215. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988.

1120-6-.03 REGULAR WORK SCHEDULE. The regular schedule for most employees is 8:00 a.m. to 4:30 p.m., Monday through Friday. Local conditions may cause these hours to vary, but an employee scheduled to work 7.5 hours per day, Monday through Friday, is considered to be on a regular work schedule. Any agency may use irregular work schedules and vary its work hours and workdays at the discretion of the appointing authority. Any work schedule can be modified as necessary to provide a reasonable accommodation for an employee with a disability, as determined by the appointing authority. Any full-time schedules other than 37.5 hours per week must be approved in advance by the Commissioner and the Commissioner of Finance and Administration.

Authority: T.C.A. §4-4-105. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; effective December 29, 1994

1120-6-.04 WORKWEEK. The standard workweek for accounting purposes begins at 11 p.m. Saturday and runs one hundred sixty eight (168) continuous hours with seven (7) consecutive twenty-four (24) hour periods to 11 p.m. the following Saturday. Variation to this standard workweek may be approved by the Commissioner.

Authority: T.C.A. §4-4-105. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988.

1120-6-.05 OVERTIME. Tennessee Code Annotated 8-23-201 and the Fair Labor Standards Act provide that additional compensation may be paid to certain State employees who work in excess of regularly scheduled hours at the direction of an appropriate manager. Such payments must be approved in advance by the Commissioner and the Commissioner of Finance and Administration. The Commissioner will establish policy and procedures for administering overtime payments to include the following:

- (1) *Executive Grade Personnel.* Executive grade employees as defined by the Commissioner will not be eligible to receive any compensation for hours worked beyond their regular schedule. However, if an executive grade employee is scheduled to work on a legal holiday, the holiday may be rescheduled.
- (2) *Exempt Personnel.* Employees defined as "exempt" by the Fair Labor Standards Act may receive regular compensatory time for hours worked beyond their regular schedule at the direction of the appointing authority or other appropriate supervisor or manager subject to the approval of the appointing authority, the Commissioner and the Commissioner of Finance and Administration.
- (3) *Non-Exempt Personnel.* Employees defined as "non-exempt" by the Fair Labor Standards Act receive compensation for hours worked beyond their regular schedule at the direction of the appointing authority or other appropriate supervisor or manager, in accordance with the provisions of that act.
- (4) *Exceptions.* Exceptions to this rule must be recommended by the appointing authority and approved in advance by the Commissioner and the Commissioner of Finance and Administration. Such recommended exceptions must be consistent with State and Federal law and filed with the Comptroller of the Treasury.

Authority: T.C.A. §8-23-201. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988.

1120-6-.06 COMPENSATORY TIME. Compensatory time is leave credit earned by an exempt or non-exempt employee when compensable overtime hours are worked and are not compensated in cash. Compensatory time is accrued on a weekly basis. The Commissioner will establish policy and procedures to include the following:

- (1) *Use of Compensatory Time.* The use of compensatory time is subject to the approval of the Appointing Authority or a designated manager in the same manner as annual leave.
- (2) *Compensatory Time Transferable.* Compensatory time is transferable between the agencies of State service. Compensatory time earned may be taken prior to the beginning of terminal leave, taken prior to separation if the employee has no terminal leave, or paid in a lump sum at separation. If an employee in a State service agency transfers to another State agency outside the State service which will not accept the employee's compensatory time balance, the State service agency must compensate the transferring employee for the value of the employee's compensatory time balance. The value of compensatory time accrued by a non-exempt employee is calculated at a rate not less than the employee's average rate over the last three years of employment, less any salary differential, or the employee's regular hourly rate in the State service agency at the time of the transfer, less any salary differential, whichever is higher. The value of the compensatory time accrued by an exempt employee is calculated based on the employee's regular hourly rate, less any salary differential, in the State service agency at the time of transfer. The value of compensatory time of an employee in a non-leave

(Rule 1120-6-.06, continued)

accrual status is calculated at the employee's regular hourly rate at the time of the change from a leave accrual status to a non-leave accrual status.

- (3) *Use of Compensatory Time Before Annual Leave.* Accumulated compensatory time must be used before annual leave unless an employee's accumulated annual leave balance at the beginning of the pay period for which leave is requested is within two days of the maximum accrual allowed for the employee's service group code.
- (4) *Maximum Compensatory Time Accrual.* Compensatory time may be accrued up to a maximum of four hundred and eighty (480) hours. Any variation to this maximum accrual limit must be approved in advance by the Commissioner and the Commissioner of Finance and Administration.

Any exempt or non-exempt employee who earns authorized overtime credit in excess of the maximum accrual must be paid cash for those hours at his regular hourly rate unless the Fair Labor Standards Act requires those hours to be paid at the premium rate.

Authority: T.C.A. §§8-23-201 and T.C.A. 8-30-214. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.07 LUNCH PERIOD. All employees, except those specifically excluded in T.C.A. 4-4-105, are allowed a one (1) hour unpaid lunch period.

Authority: T.C.A. §§8-30-202 and T.C.A. 8-30-215. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988.

1120-6-.08 REST BREAKS. Appointing authorities may allow employees two (2) fifteen minute (15) paid rest breaks during each workday.

Authority: T.C.A. §§8-30-215. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988.

1120-6-.09 ABSENCE DUE TO INCLEMENT WEATHER. The Commissioner will establish policy concerning absence during periods of inclement weather.

Authority: T.C.A. §§8-30-215. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988.

1120-6-.10 ELIGIBILITY TO ACCRUE LEAVE. An eligible employee accrues annual and sick leave based upon provisions stated in T.C.A. 8-50-101. To accrue leave an eligible employee must be in a positive pay status at least the major fraction of a month excluding overtime. A major fraction of a month is defined as one-tenth (0.1) of one (1) hour over 50% of the regularly scheduled working hours.

Leave is accrued on a regular workday basis. One day of leave is equivalent to 7.5 hours for employees on a 37.5 hour per workweek schedule. One day of leave is equal to eight (8) hours for employees on a 40 hour per workweek schedule. Employees on other workweek schedules as approved by the Commissioner accrue based on those schedules. Employees changing from one schedule to another will have their hourly balances adjusted accordingly.

Employees eligible to accrue leave are as follows:

(Rule 1120-6-.10, continued)

- (1) employees with regular, temporary provisional and interim appointments who are employed full-time;
- (2) employees serving on full-time temporary appointments begin to accrue leave after the completion of six (6) months of active service. The first day following the completion of the six months of service is regarded as the beginning date for the purpose of accruing leave. Each period of temporary employment should be treated separately;
- (3) any part-time or seasonal employee who is scheduled to work 1600 hours or more in a fiscal year;
- (4) any employee currently eligible to accrue leave who receives a full-time emergency or full-time temporary appointment shall continue to accrue leave, provided there is no break in service;
- (5) leave accrual exceptions - employees who do not accrue leave are as follows:
 - (a) employees on temporary appointment who have worked less than six (6) months;
 - (b) employees on educational leave;
 - (c) employees on emergency appointment;
 - (d) employees on Division of Claims Administration leave;
 - (e) employees on terminal leave;
 - (f) employees on military leave without pay;
 - (g) employees on special leave without pay;
 - (h) employees on maternity leave without pay;
 - (i) seasonal or part-time employees who are scheduled to work less than 1600 hours in a fiscal year;
 - (j) employees on sick bank leave.
- (6) limited term employees, i.e., commissioners, etc. Time served in a full-time limited term appointment can be used in establishing the proper leave group if the employee subsequently becomes eligible for leave accrual.

Authority: T.C.A. §§8-23-101, T.C.A. 8-50-801 and T.C.A. 8-50-802. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.11 ANNUAL LEAVE. The Commissioner will establish policy and procedures for administering the annual leave program in accordance with T.C.A. 8-50-801.

- (1) *Amount Earned and Maximum Accumulation.* Annual leave is earned with maximum accumulation as follows:
 - (a) *Group 1* - Employees with less than five (5) years of full-time service accrue annual leave at the rate of one day for each month or major fraction of a month of active service and may accumulate a maximum of thirty (30) workdays.

(Rule 1120-6-.11, continued)

- (b) *Group 3* - Employees with five (5) years and less than ten (10) years of full-time service accrue annual leave at the rate of one and one-half days for each month or major fraction of a month of active service and may accumulate a maximum of thirty-six (36) workdays.
 - (c) *Group 4* - Employees with ten (10) years and less than twenty (20) years of full-time service accrue annual leave at the rate of one and three-fourths days for each month or major fraction of a month of active service and may accumulate a maximum of thirty-nine (39) workdays.
 - (d) *Group 5* - Employees with twenty (20) years or more of full-time service accrue annual leave at the rate of two (2) days for each month or major fraction of a month of active service and may accumulate a maximum of forty-two (42) workdays.
- (2) *Creditable Service.* Any month, which was a part of a 1600 hour or greater annual schedule, in which an employee is scheduled to work a full month, and actually works one-tenth of one hour more than half the scheduled hours, shall be creditable for maximum accumulation purposes.
 - (3) *Transfer of Annual Leave to Sick Leave.* Leave earned in excess of the maximum allowable accumulation for a group code will be transferred to the employee's sick leave account annually.
 - (4) *Annual Leave May Be Used as Terminal Leave.* When separating from State employment, an employee shall be paid for any annual leave accumulation unless terminated from State service for gross misconduct.
 - (5) *Annual Leave May Not Be Advanced.* Annual leave may not be taken until earned.
 - (6) *Employee Meetings.* Annual leave may be used to attend meetings of employee associations which are qualified for payroll dues deduction. Leave allowed for this purpose cannot exceed two (2) days per year.
 - (7) *Annual Leave Transferable.* Annual leave is transferable between State agencies and State colleges, universities, technical institutes and area vocational schools.

Authority: T.C.A. §§8-50-801 and T.C.A. 8-50-110. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.12 SICK LEAVE. Sick leave is accrued by an employee at the rate of one (1) day for each month or major fraction of a month of active service. The Commissioner will establish policy and procedures governing the use of sick leave.

- (1) *Use of Sick Leave.* An appointing authority may grant an eligible employee sick leave for any of the following reasons:
 - (a) personal illness,
 - (b) disability due to accident,
 - (c) exposure to a contagious disease,
 - (d) medical and dental appointments,

(Rule 1120-6-.12, continued)

- (e) illness or death in the immediate family, or others who, at the discretion of the appointing authority, have a relationship which merits similar consideration.
 - (f) maternity (up to 30 working days for female employees only); and
 - (g) adoption (up to 30 working days if the child is one year old or less).
- (2) *Reinstatement of Accumulated Sick Leave.* Employees who work on a full-time continuous basis for one full year or more, leave in good standing, and return to work shall be credited with sick leave accumulated prior to separation immediately upon their return to State employment. Teachers hired from State colleges, universities, technical institutes, area vocational schools and local school boards in Tennessee are also included under this sub-rule provision.
 - (3) *Sick Leave Transferable.* Sick leave is transferable between State agencies and State colleges, universities, technical institutes and area vocational schools.
 - (4) *Required Documentation.* Any employee may be required to present evidence to an appointing authority, the Commissioner, or any other appropriate authority, to support the reason for any absence during the time for which sick leave was taken.
 - (5) *Doctor's Certification of Absence.* Sick leave may not be denied to any employee who furnishes a statement of a licensed physician or accredited Christian Science practitioner in support of the reason for such absence. Additional documentation may be required if there is substantial evidence of sick leave abuse by the employee.
 - (6) *Sick Leave Restrictions.*
 - (a) *Sick Leave During Terminal Leave.* Sick leave may not be used as terminal leave, however, if an employee presents evidence of an illness during terminal leave then sick leave may be used.
 - (b) *Sick Leave May Not Be Advanced.* Sick leave may not be taken until earned.

Authority: T.C.A. §§4-21-408, 8-50-802, 8-50-803, 8-50-804 and 8-50-806. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.13 BEREAVEMENT LEAVE.

- (1) The officers and employees of the various agencies, boards, and departments of state government shall be granted three (3) days paid leave in the event of death of such officers' or employees' spouse, child, step-child, parents, siblings, grandparents, grandchildren, stepparents, foster parents, or parents-in-law without charge to the affected officers' or employees' accumulated leave accounts.
- (2) This section shall not be construed to increase the total number of leave days provided in rules of the Department of Personnel for the death of a family member as defined in this section.

Authority: T.C.A. §8-50-113 **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994. Amendment filed October 25, 1995; effective February 28, 1996.

1120-6-.14 SPECIAL LEAVE. Special leave is leave without pay. At the discretion and upon recommendation of the appointing authority, the Commissioner may approve requests for special leave in accordance with policy and procedure.

Authority: T.C.A. §8-30-215. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.15 HOLIDAYS. The General Assembly, by law, establishes legal holidays which are observed by the closing of State offices. The Governor, upon request by the Commissioner, may also establish additional time off for observance of holidays. The following days have been designated by the General Assembly as legal holidays:

New Year's Day	January 1
Martin Luther King, Jr. Day	Third Monday in January
Washington Day	Third Monday in February
Good Friday	Friday before Easter
Memorial or Decoration Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veterans' Day	November 11
Thanksgiving Day	Fourth Thursday in November
Christmas Day	December 25

The Governor may, at his discretion, substitute the Friday after the fourth Thursday in November for Columbus Day.

Part-time or seasonal employees who are ineligible to accrue leave are not eligible for holiday pay.

Authority: T.C.A. §15-1-101. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.16 CIVIL LEAVE. The Commissioner will establish policy and procedures for State employees to be excused from their job duties when involved in civil or criminal proceedings as a juror.

Authority: T.C.A. §22-4-108. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.17 EDUCATIONAL LEAVE. The Commissioner will establish policy and procedures for State employees to be placed on educational leave for participation in full-time training.

Authority: T.C.A. §§8-30-202, 8-30-203, 8-30-204 and 22-4-108. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.18 MILITARY LEAVE.

- (1) *Military Leave With Pay.* A leave of absence with pay, not to exceed fifteen (15) working days in any one year, will be granted to employees who are members of the reserve components of the Armed Forces of the United States, including members of the Tennessee National Guard, for periods they are engaged

(Rule 1120-6-.18, continued)

in the performance of duty or training activities in the service of the State or the Federal Government while under orders. Holidays and scheduled off duty days do not count toward the fifteen (15) days allowed. During the period of approved paid military leave the employee incurs no loss of service time and continues to earn regular annual leave and sick leave. There shall be no loss of rights or benefits to which the employee is otherwise entitled. Military leave with pay will not be granted for regularly scheduled monthly training for reservists or national guardsmen.

- (2) *Military Leave Without Pay.* Leave without pay will be granted for periods of active duty or training activity with the Armed Forces of the United State, its reserve components, or the Tennessee National Guard for authorized periods beyond the fifteen (15) days of paid leave in a calendar year. In addition, leave without pay will be granted to employees entering the regular components of the Armed Forces of the United States as a result of military conscription or for a period of voluntary enlistment. During the period of leave without pay for military service, the employee retains all accumulated annual and sick leave, retirement status, and continues to earn time toward seniority, retirement and longevity pay. Continuation in the State's insurance programs, if elected, shall be granted subject to appropriate State insurance program provisions.

Authority: T.C.A. §§8-33-105 and 8-33-109. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.19 AMERICAN RED CROSS DISASTER LEAVE. A State employee who is a certified disaster service volunteer of the American Red Cross may be granted leave from work with pay for a period not to exceed fifteen (15) work days in each year to participate in special disaster relief services for the American Red Cross.

Authority: T.C.A. §8-50-810. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.20 MATERNITY LEAVE. Maternity leave (sick, annual or special leave) is an absence from work granted a woman employee, not serving an initial probationary period, and will begin the day her child is born. Sick leave used is limited to thirty (30) working days. The Commissioner will establish procedures for State employees to be placed on maternity leave.

Authority: T.C.A. §§8-50-802, 8-30-215 and 4-21-408. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.21 ADOPTIVE LEAVE. Employees involved with adoption procedures shall be granted special leave for a period of up to thirty (30) days. Employees may use sick leave for all or a portion of that thirty (30) days if the child is one (1) year old or less. In the event both parents are State employees the aggregate sick leave used is limited to thirty (30) days. Additional special leave may be granted at the discretion of the appointing authority not to exceed one (1) year.

Authority: T.C.A. §8-50-806. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.22 FAMILY AND MEDICAL LEAVE. The Commissioner shall establish policies and procedures for implementing the provisions and requirements of the Family and Medical Leave Act (FMLA).

(Rule 1120-6-.22, continued)

Authority: T.C.A. §8-30-215. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.23 DIVISION OF CLAIMS ADMINISTRATION LEAVE. Employees who are injured in the line of duty have the option of being placed immediately on leave without pay and drawing lost time compensation through the Division of Claims Administration, or using sick and/or annual leave and then drawing lost time compensation.

- (1) *Eligibility for Lost Time Compensation.* To be eligible for lost time compensation from the Division of Claims Administration, an employee must be in a without pay status due to injury or job related illness for more than seven (7) calendar days. If the employee is unable to work after more than fourteen (14) calendar days, lost time compensation from the Division of Claims Administration will be paid effective from the first day the employee is in a without pay status following the injury. An employee may elect to use sick, annual or compensatory leave or draw lost time compensation from the Division of Claims Administration.
- (2) *Effect on Anniversary Dates.* Time served on Division of Claims Administration leave will not advance the employee's longevity, salary or service anniversary date.
- (3) *Assault Pay.* Employees who are injured in the line of duty, as the result of an assault which disables them from performing their jobs, will be allowed to remain on the regular payroll for a period not to exceed twenty-eight (28) calendar days subject to approval by the Commissioner. Such disability must have occurred no later than twenty-eight (28) calendar days from the date of injury. If the same injury results in an employee being unable to perform his job for more than twenty-eight (28) calendar days and provided that a proper claim has been filed with the Division of Claims Administration within ten (10) calendar days of the date of injury, the employee may receive the difference between his regular salary and the weekly compensation rate awarded by the Division of Claims Administration for an additional sixty-two (62) calendar days. Thus, an employee who is disabled as a result of an assault may receive full pay through a combination of regular payroll and Division of Claims Administration compensation for a total of ninety (90) calendar days before being reduced to the usual lost time rate of the Division of Claims Administration or using accumulated sick, annual or compensatory leave.

Authority: T.C.A. §§9-8-201, 9-8-202 and 8-50-111. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.24 TERMINAL LEAVE. When separating from State employment, employees shall be paid for any annual leave except in cases of dismissal for gross misconduct. An employee who resigns from State service to avoid dismissal for gross misconduct is not eligible for annual leave compensation. An employee, in a non-leave accrual status at separation, shall be paid for any annual leave balance at the employee's regular hourly rate at the time of change from a leave accrual status to a non-leave accrual status. Nothing in this subsection shall be construed to prohibit lump sum payment for terminal leave.

- (1) *Employees Subject to State Retirement.* Employees who are members of the Tennessee Consolidated Retirement System, and are entitled to terminal leave must be compensated for their terminal leave prior to the effective date of their retirement.
- (2) *Death.* Leave balances of deceased employees shall be paid as lump sum payments. Any outstanding leave balance (sick, annual, compensatory) will be paid to a deceased employee's estate or to a beneficiary designated by the employee or, if none, the beneficiary designated for receipt of retirement benefits with the Tennessee Consolidated Retirement System.
- (3) *Termination of Benefits.* During the period of terminal leave, an employee will:

(Rule 1120-6-.24, continued)

- (a) Cease to be in a leave earning status on the date terminal leave begins.
 - (b) Cease to be eligible for salary increases or salary adjustments. The salary rate in effect on the last day worked will be used in determining terminal leave payments.
- (4) Accounting for Terminal Leave:
- (a) *Saturdays, Sundays and Legal Holidays.* Credit must be allowed during the terminal leave period as is allowed for regular annual leave. To be paid for a holiday while on terminal leave an employee must be in a paid status past the holiday.
 - (b) *Beginning and Ending of Terminal Leave Period.* Terminal leave begins the next workday following the last full workday or date of death. The last day of terminal leave will be the official date of separation.

Authority: T.C.A. §§8-50-801, 8-50-807 and 8-50-808. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.25 PAID LEAVE FOR EXCUSED ABSENCES. An employee may be granted leave with pay for the following excused absences:

- (1) *State Examination or Job Interview.* Employees allowed to participate in examinations administered by the State of Tennessee or to be interviewed for other State employment at the request of a responsible official of the interviewing agency or a staff member of the department may be granted leave with pay.
- (2) *Elections.* Any person entitled to vote in an election held in this State must be granted paid leave not to exceed three (3) hours in accordance with established procedures. If the work schedule of an employee begins three (3) or more hours after the opening of the polls or ends three (3) or more hours before closing of the polls of the county where the employee is registered to vote, paid leave will not be granted.
- (3) *Discretionary.* An appointing authority with the approval of the Commissioner may place an employee on leave with pay any time it is considered necessary for the welfare of the employee or the proper operation of the agency.

Authority: T.C.A. §§2-1-106 and 8-30-215. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994

1120-6-.26 RESPONSIBILITY FOR RECORDS AND REPORTS. An official attendance and leave record with supporting documents will be maintained for State employees on forms designated by the Commissioner with the exception of officials defined by law or by the Commissioner.

Authority: T.C.A. §§8-30-101, 8-30-202, 8-30-203 and 8-30-204. **Administrative History:** (For history prior to January 2, 1988 see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994